



UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESAL PRICE
LITIGATION

)
) MDL No. 1456
)

) CIVIL ACTION: 01-CV-12257-PBS
)

THIS DOCUMENT RELATES TO ALL
CLASS ACTIONS

) Judge Patti B. Saris
)
)
)

PLAINTIFFS' OBJECTIONS TO BMS' SECOND SET OF INTERROGATORIES

INTERROGATORIES

1. Identify the drugs "known to be unaffected by the AWP scheme" that Dr. Hartman intends to use as benchmarks or "yardsticks" as described in paragraphs 11(c), 11(e) and 21 of the Hartman Report.

RESPONSE: Dr. Hartman's expert report is not due to be disclosed, pursuant to court order, until October 1, 2005. This interrogatory thus is premature and hence objectionable.

2. Identify any other benchmarks or yardsticks that Dr. Hartman intends to use to express an opinion on liability, causation or damages in this case.

RESPONSE: Dr. Hartman's expert report is not due to be disclosed, pursuant to court order, until October 1, 2005. This interrogatory thus is premature and hence objectionable.



DATED: July 5, 2005

By /s/ Steve W. Berman

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CERTIFICATE OF SERVICE

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing, **PLAINTIFFS' OBJECTIONS TO BMS' SECOND SET OF INTERROGATORIES** to be delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on July 5, 2005, a copy to Verilaw Technologies for Posting and notification to all parties

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